

Article - Environment

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§15–510.

(a) Each operator shall comply with the requirements of this section.

(b) (1) The operator shall regrade in a manner the Department establishes by rule and regulation and in accordance with the approved reclamation plan. Any regrading shall include, but is not limited to, backfilling, compacting (where necessary to insure stability or prevent leaching of toxic materials), and regrading to restore to the approximate original contour of the affected area with all highwalls, spoil piles, and depressions eliminated, unless depressions are approved by the Department to prevent erosion and retain moisture to assist revegetation.

(2) All spoil from a permitted area shall be reclaimed within that permitted area or placed on abandoned mine land in a manner approved by the Department. Spoil from a permitted area may not be placed on abandoned mine land if it is needed to achieve the approximate original contour within that permitted area or to meet other permit requirements.

(c) The operator shall seal off with a material approved by the Department each opening from an underground mining operation at the base of the final cut. The seal shall be constructed in a way to avoid creating danger from impoundment of any large quantity of water.

(d) If the operator proposes to impound water to provide a lake or pond for wildlife, recreational, or other water supply purposes, he shall file a formal request with the Department and receive approval before the pond or lake is created.

(e) An operator, with the written approval of the landowner, may propose an alternative plan for reclamation if the land can be used for suitable purposes. The alternate plan shall be submitted to the Department as part of the mining and reclamation plan.

(f) Unless the operator obtains the prior written approval of the Department, all backfilling described in the approved reclamation plan shall be completed before backfilling equipment is moved from the operation.

(g) An owner of either surface rights or mineral rights may not interfere with an operator in the discharge of any duties imposed by this subtitle.

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